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Attorney for the State

VALERIE WYANT CLERK

17 DEC 28 PM 2:36

FILED

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCONINO**

STATE OF ARIZONA,

No. CR2017-00886

Plaintiff,

NOTICE OF CHANGE OF JUDGE

vs.

(Assigned to Judge Cathleen Nichols-  
Division 5)

JAMES JOSHUA WOMBLE ,

Defendant.

The State of Arizona, by and through the undersigned deputy, moves this moves for a change of judge pursuant to the provisions of Rule 10.2 of the Arizona Rules of Criminal Procedure. The judge to be changed is Judge Cathleen Nichols, Division 5 of the Superior Court of Coconino County, within the State of Arizona.

As an officer of the court, the undersigned deputy county attorney avows that this request is made in good faith and not:

1. For the purpose of delay;
2. To obtain a severance;
3. To interfere with the reasonable case management practices of a judge;
4. To remove a judge for reasons of race, gender or religious affiliation;
5. For the purpose of using the rule against a particular judge in a blanket fashion by a prosecuting agency, defender group or law firm (*State v. City Court of Tucson*, 150 Ariz. 99, 722 P.2d 267 (1986));
6. To obtain a more convenient geographical location; or

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1 7. To obtain advantage or avoid disadvantage in connection with a plea bargain or at  
2 sentencing, except as permitted under Rule 17.4(g).

3 The State was informed on 12/20/17, via courtesy email, that the matter was assigned to  
4 Judge Nichols. This notice is timely pursuant to Rule 10.2(c)(3) of the Arizona Rules of Criminal  
5 Procedure.

6 RESPECTFULLY SUBMITTED this 28<sup>th</sup> day of December, 2017.  
7

8  
9 WILLIAM P. RING  
COCONINO COUNTY ATTORNEY

10  
11 By Bryan F. Shea  
12 Bryan F. Shea  
13 Deputy County Attorney

14  
15 COPY of the foregoing  
16 mailed/delivered this  
17 28 day of December, 2017,  
18 to:

19 The Honorable Cathleen Nichols  
20 Division 5  
21 Coconino County Courthouse  
22 Flagstaff, AZ 86001

23 Adam Zickerman, Esq.  
24 Defense Counsel

25  
26 By: Bonnie Fash